

EXHIBIT 2

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THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

MOLLY J. MULLIGAN; and
JOHN P. MULLIGAN,

Plaintiffs

v.

ALUM ROCK RIVERSIDE, LLC, a California
limited liability company; Brett H. Del Valle and
Traci M. Del Valle as Co-Trustees of the Del Valle
Family Trust dated October 30, 2002

Defendants.

**ORDER GRANTING
MOTION OF PLAINTIFFS
FOR ISSUANCE OF A
PRELIMINARY INJUNCTION**

Case No. 1:25-cv-00008-DA

Assigned Judge: Dale A. Kimball

Referred Magistrate Judge:
Cecilia M. Romero

The court has reviewed the *Motion of Plaintiffs for Issuance of Preliminary Injunction* (the “**Motion**”) filed on February 13, 2025 and the *Declaration of Felicia B. Canfield* in support and all exhibits thereto.

Pursuant to Rule 65 of the Federal Rules of Civil Procedure and otherwise, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

1. Plaintiffs Motion is granted.
2. Defendant Alum Rock Riverside, LLC (“**Defendant**” or “**Alum Rock**”), and anyone acting by, with, or through Alum Rock, is **HEREBY ENJOINED** from holding any sale of the subject property, including pursuant the *Notice of Judgment* filed on October 23, 2020 in the Third Judicial District Court, Salt Lake County, Civil No. 206927043, which Notice was recorded in the office and general records of the Weber County Recorder on October 23, 2020 as Entry No. 3101770 (the “**Alum Rock Lien**”) and/or to the Writ of Execution issued on June 22, 2021 (the “**Writ of Execution**”), on the subject real property located in Weber County, Utah, commonly known as 1453 South Basinview Road, Huntsville, UT 84317, more particularly described as follows (the “**Property**”):

Lot 7, BASINVIEW ESTATES CLUSTER SUBDIVISION 1ST AMENDMENT, according to the official plat thereof on file and of record in the office of the Weber County Recorder.

Together with a right of use for an easement for ingress and egress over and across Basinview Road (a private road), as shown on the official dedicated plat, to and from said Lot to a physically open and legally dedicated public street.

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3. The Court **HEREBY ISSUES** a preliminary injunction enjoining Defendant Alum Rock from taking any further action to foreclose or execute upon the Alum Rock Lien and/or the Writ of Execution in order to sell the Property pending the conclusion of this action.

4. Copies of this **ORDER GRANTING MOTION OF PLAINTIFFS FOR ISSUANCE OF PRELIMINARY INJUNCTION** may be recorded in the office of the Weber County recorder in the State of Utah.

The GROUNDS for this Order, the TRO and preliminary injunction are as follows:

Plaintiffs Molly J. Mulligan and John P. Mulligan (collectively “**Mulligans**” or “**Plaintiffs**”) each are individual owners of record of the residential and irreplaceable Property pursuant to a *Warranty Deed* that was recorded on May 11, 2021 as Entry No. 3151874 in the official records of the Weber County Recorder’s office (the “**Warranty Deed**”). Plaintiffs obtained a purchase money loan secured by a Deed of Trust that was recorded on the Property on August 2, 2021 as Entry No. 3172556 (the “**Mulligans’ Trust Deed**”). Any foreclosure of the Alum Rock Lien would evict the Mulligans from their home and deprive the Mulligans’ Trust Deed of security for their loan.

Plaintiffs have demonstrated that based on the material facts and the applicable statutory and case law that they meet each of the four elements necessary to obtain the preliminary injunction, including as set forth in *Cnty. Television of Utah, LLC v. Aereo, Inc.*, 997 F. Supp. 2d 1191, 1197 (D. Utah 2014). Plaintiffs have demonstrated that: (1) there is a likelihood of success on the merits of the Mulligan’s claims, including without limitation for quiet title, equitable subordination and equitable subrogation, and bona fide purchasers with no constructive notice of

Alum Rock's lien; (2) there is a likelihood that Mulligans will suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in the Mulligans' favor; and (4) the injunction is in the public interest.

Because Plaintiffs' claims in this action involve the correct application of Utah statutes and law pertaining to Quiet Title claims, Equitable Subordination and Equitable Subrogation, and to Declaratory Judgment that they are Bona Fide Purchasers for value without Constructive Notice of any claims of Defendant, and the application of Utah Code Sections 75-7-505 and 57-3-102, and the likelihood of success thereunder, Plaintiffs are entitled to a full and fair adjudication of their claims prior to any further attempt by Defendant Alum Rock to foreclose on and/or sell the Property pursuant to the Alum Rock Lien and/or its Writ of Execution.

Any sheriff's sale and/or foreclosure of and/or attempt to sell the Property pursuant to the Alum Rock Lien and/or the Writ of Execution will cause immediate and irreparable injury, loss and damage to Plaintiffs; any such sale is therefore hereby restrained and enjoined pending further order of this Court.

****END OF ORDER – entered when indicated by the Court's seal at the top of first page****